

**STATE POLICE**

**EXECUTIVE BUDGET BILL**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**PART 1**

**LINE-ITEM APPROPRIATIONS**

Sec. 101. Subject to the conditions set forth in this bill, the amounts listed in this part are appropriated for the department of state police for the fiscal year ending September 30, 2004, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF STATE POLICE**

**APPROPRIATIONS SUMMARY:**

Full-time equated unclassified positions ..... 3.0

Full-time equated classified positions ..... 3,334.5

GROSS APPROPRIATION ..... \$ 410,786,600

**Interdepartmental grant revenues:**

Total interdepartmental grants and interdepartmental

transfers .....	17,882,800
ADJUSTED GROSS APPROPRIATION .....	\$ 392,903,800

Federal revenues:

Total federal revenues .....	55,292,300
------------------------------	------------

Special revenue funds:

Total local revenues .....	4,506,600
----------------------------	-----------

Total private revenues .....	0
------------------------------	---

Total other state restricted revenues .....	101,863,400
---	-------------

State general fund/general purpose .....	\$ 231,241,500
--	----------------

**Sec. 102. EXECUTIVE DIRECTION**

Full-time equated unclassified positions .....	3.0
--	-----

Full-time equated classified positions .....	36.0
--	------

Unclassified positions .....	\$ 258,500
------------------------------	------------

Executive direction--29.0 FTE positions .....	3,148,900
---	-----------

Auto theft prevention program--7.0 FTE positions .....	<u>7,065,000</u>
--	------------------

GROSS APPROPRIATION .....	\$ 10,472,400
---------------------------	---------------

Appropriated from:

Special revenue funds:

Auto theft prevention fund .....	7,065,000
----------------------------------	-----------

Fire services fees .....	10,000
--------------------------	--------

State general fund/general purpose .....	\$ 3,397,400
--	--------------

**Sec 103. DEPARTMENTWIDE APPROPRIATIONS**

Special maintenance and utilities .....	\$ 479,400
---	------------

Rent and building occupancy charges .....	8,216,000
---	-----------

Worker's compensation .....	3,174,000
-----------------------------	-----------

Fleet leasing .....	15,169,200
In-service training .....	850,000
Narcotics investigation funds .....	<u>265,000</u>
GROSS APPROPRIATION .....	\$ 28,153,600

Appropriated from:

Interdepartmental grant revenues:

IDT-Michigan justice training fund .....	850,000
--	---------

Federal revenues:

Federal narcotics investigation revenues .....	95,000
--	--------

Special revenue funds:

Narcotics investigation revenues .....	170,000
Fire services fees .....	328,700
State general fund/general purpose .....	\$ 26,709,900

#### **Sec. 104. SUPPORT SERVICES**

Full-time equated classified positions ..... 154.5

Human resources--35.5 FTE positions .....	\$ 2,183,800
Management services--59.0 FTE positions .....	3,416,000
Training administration--43.0 FTE positions .....	4,544,200
Communications--17.0 FTE positions .....	<u>5,968,300</u>
GROSS APPROPRIATION .....	\$ 16,112,300

Appropriated from:

Interdepartmental grant revenues:

IDT, auto theft funds .....	21,000
IDG, training academy charges .....	2,726,400

Special revenue funds:

Local - LEIN fees .....	31,900
Precision driving track fees .....	264,100
Narcotics investigation revenues .....	40,600
Fire services fees .....	174,800
Motor carrier fees .....	125,500
State general fund/general purpose .....	\$ 12,728,000

**Sec. 105. HIGHWAY SAFETY PLANNING**

Full-time equated classified positions .....	25.0
State program planning and administration--13.0 FTE	
positions .....	\$ 1,111,000
Grants to local governments and nonprofit	
organizations .....	4,500,000
Secondary road patrol program--1.0 FTE position .....	12,506,600
Truck safety program--2.0 FTE positions .....	2,983,800
Highway traffic safety coordination--9.0 FTE	
positions .....	<u>5,949,700</u>
GROSS APPROPRIATION .....	\$ 27,051,100

Appropriated from:

Federal revenues:

DOT .....	10,492,000
DOJ .....	560,000

Special revenue funds:

Truck driver safety fund .....	2,983,800
Secondary road patrol and training fund .....	12,506,600
State general fund/general purpose .....	\$ 508,700

**Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER**

Full-time equated classified positions ..... 96.5

Criminal justice information center division--78.0 FTE

positions .....	\$	7,248,900
Criminal records improvement--1.0 FTE position.....		4,726,200
Traffic safety--17.5 FTE positions .....		<u>1,508,500</u>
GROSS APPROPRIATION .....	\$	13,483,600

Appropriated from:

Interdepartmental grant revenues:

IDG-MDOS .....	313,600
IDG-MDOT, state trunkline fund .....	336,900

Federal revenues:

DOJ .....	4,726,200
DOT .....	388,500

Special revenue funds:

Criminal justice information center service fees .....	5,954,300
State general fund/general purpose .....	\$ 1,764,100

**Sec. 107. FORENSIC SCIENCES**

Full-time equated classified positions ..... 215.0

Laboratory operations--191.0 FTE positions .....	\$	16,978,100
DNA analysis program--24.0 FTE positions .....		<u>7,393,800</u>
GROSS APPROPRIATION .....	\$	24,371,900

Appropriated from:

Federal revenues:

DOJ .....	3,442,900
-----------	-----------

Special revenue funds:

Forensic science reimbursement fees .....	1,626,400
Fire services fees .....	525,100
State forensic laboratory fund .....	1,500,000
State general fund/general purpose .....	\$ 17,277,500

**Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

Full-time equated classified positions .....	.29.0
Standards and training--23.0 FTE positions .....	\$ 2,174,800
Training only to local units--2.0 FTE positions .....	690,000
Concealed weapons enforcement training .....	140,000
Officer's survivor tuition program .....	48,800
Justice training grants--4.0 FTE positions .....	<u>9,032,000</u>
GROSS APPROPRIATION .....	\$ 12,085,600

Appropriated from:

Federal revenues:

DOJ .....	360,000
-----------	---------

Special revenue funds:

Secondary road patrol and training fund .....	690,000
Concealed weapons enforcement fee .....	140,000
Michigan justice training fund .....	9,032,000
Licensing fees .....	50,000
State general fund/general purpose .....	\$ 1,813,600

**Sec. 109. FIRE MARSHAL**

Full-time equated classified positions .....	55.0
Fire marshal programs--44.0 FTE positions .....	\$ 3,832,000

Fire investigation training to locals.....	50,500
Fire fighters training council--11.0 FTE positions. ....	<u>1,558,600</u>
GROSS APPROPRIATION .....	\$ 5,441,100

Appropriated from:

Federal revenues:

FEMA .....	150,000
DOT .....	85,000

Special revenue funds:

Fire services fees .....	5,206,100
State general fund/general purpose .....	\$ 0

**Sec. 110. EMERGENCY MANAGEMENT**

Full-time equated classified positions .....	49.0
Emergency management planning and administration--32.0	
FTE positions .....	\$ 2,869,000
Grants to local government .....	2,182,100
FEMA program assistance--3.0 FTE positions.....	962,300
Nuclear power plant emergency planning--6.0 FTE	
positions .....	1,209,200
Hazardous materials transportation--1.0 FTE position ...	579,200
Hazardous materials programs--7.0 FTE positions .....	<u>12,983,800</u>
GROSS APPROPRIATION .....	\$ 20,785,600

Appropriated from:

Federal revenues:

FEMA .....	4,664,100
DOT .....	579,200

DOJ .....	11,400,000
-----------	------------

Special revenue funds:

Nuclear power plant emergency planning reimbursement ...	1,209,200
Hazardous materials training center fees .....	1,253,800
State general fund/general purpose .....	\$ 1,679,300

**Sec. 111. UNIFORM SERVICES**

Full-time equated classified positions .....	1,966.5
Uniform services--583.0 FTE positions .....	\$ 46,581,700
Security guards--29.0 FTE positions .....	899,100
Reimbursed services .....	1,983,000
At-post troopers--1,354.5 FTE positions .....	<u>110,185,300</u>
GROSS APPROPRIATION .....	\$ 159,649,100

Appropriated from:

Interdepartmental grant revenues:

IDG-MDMB, building occupancy charges .....	610,100
--	---------

Federal revenues:

DOJ .....	1,500,000
-----------	-----------

Special revenue funds:

Highway safety fund .....	7,000,000
State police service fees .....	1,983,000
Traffic enforcement and safety fund .....	36,400,000
State general fund/general purpose .....	\$ 112,156,000

**Sec. 112. SPECIAL OPERATIONS**

Full-time equated classified positions .....	58.5
Operational support--39.0 FTE positions .....	\$ 2,766,200



Traffic services--12.5 FTE positions .....	3,091,100
Aviation program--7.0 FTE positions .....	<u>1,498,600</u>
GROSS APPROPRIATION .....	\$ 7,355,900

Appropriated from:

Interdepartmental grant revenues:

IDG-MDOC, contract .....	77,200
--------------------------	--------

Federal revenues:

DOT .....	1,500,000
-----------	-----------

Special revenue funds:

Rental of department aircraft .....	159,300
Drunk driving prevention and training fund.....	969,700
State general fund/general purpose .....	\$ 4,649,700

#### **Sec. 113. CRIMINAL INVESTIGATIONS**

Full-time equated classified positions ..... 440.5

Criminal investigations--326.5 FTE positions.....	\$ 30,640,600
Federal antidrug initiatives--72.0 FTE positions .....	10,077,200
Reimbursed services, materials, and equipment.....	2,532,900
Auto theft prevention--10.0 FTE positions .....	1,366,000
Casino gaming oversight--32.0 FTE positions.....	<u>3,513,000</u>
GROSS APPROPRIATION .....	\$ 48,129,700

Appropriated from:

Interdepartmental grant revenues:

IDT, auto theft funds .....	1,104,000
IDG-MDTR, casino gaming fees .....	3,513,000
IDG-MDCH, tobacco tax .....	610,000

Federal revenues:

Federal investigations - reimbursed services.....	719,700
DOJ .....	7,506,700
Federal narcotics investigation revenues .....	380,800

Special revenue funds:

Local - reimbursed services .....	1,813,200
Narcotics investigation revenues .....	543,000
Fire services fees .....	40,000
Forfeiture funds .....	269,500
State general fund/general purpose .....	\$ 31,629,800

**Sec. 114. MOTOR CARRIER ENFORCEMENT**

Full-time equated classified positions ..... 209.0

Motor carrier enforcement--127.0 FTE positions.....	\$ 8,725,900
Truck safety enforcement team operations--16.0 FTE positions .....	1,132,100
Safety inspections--46.0 FTE positions .....	6,928,500
School bus inspections--16.0 FTE positions .....	1,146,300
Safety projects--4.0 FTE positions .....	<u>1,170,100</u>
GROSS APPROPRIATION .....	\$ 19,102,900

Appropriated from:

Interdepartmental grant revenues:

IDT, truck safety fund .....	1,132,100
IDG-MDOT, state trunkline fund .....	6,483,200

Federal revenues:

DOT .....	6,712,600
-----------	-----------

Special revenue funds:

Motor carrier fees .....	3,628,700
State general fund/general purpose .....	\$ 1,146,300

**Sec. 115. INFORMATION TECHNOLOGY**

Information technology services and projects.....	<u>\$ 18,591,800</u>
GROSS APPROPRIATION .....	\$ 18,591,800

Appropriated from:

Interdepartmental grant revenues:

IDT-MDTR, casino gaming fees .....	72,100
IDG-MDOT, state trunkline fund .....	33,200

Federal revenues:

DOT .....	29,600
-----------	--------

Special revenue funds:

Local - LEIN fees .....	2,628,500
Local - AFIS fees .....	33,000
Motor carrier fees .....	14,200
State general fund/general purpose .....	\$ 15,781,200

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2003-2004 is \$333,104,900.00 and state spending from state resources to be paid to units of local government for fiscal year 2003-2004 is \$18,802,758.00. The itemized statement below identifies appropriations from which spending to

units of local government will occur:

**DEPARTMENT OF STATE POLICE**

HIGHWAY SAFETY PLANNING

Secondary road patrol program .....	\$	12,381,500
-------------------------------------	----	------------

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Training only to local units .....	\$	522,500
------------------------------------	----	---------

Justice training grants .....		5,575,258
-------------------------------	--	-----------

FIRE MARSHAL

Fire fighters training council .....	\$	273,000
--------------------------------------	----	---------

Fire investigation training for locals .....		<u>50,500</u>
--	--	---------------

Total .....	\$	18,802,758
-------------	----	------------

Sec. 202. The appropriations authorized under this bill are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this bill:

- (a) "AFIS" means the automated fingerprint identification system.
- (b) "Department" means the department of state police.
- (c) "DNA" means deoxyribonucleic acid.
- (d) "DOJ" means the United States department of justice.
- (e) "DOT" means the United States department of transportation.
- (f) "FEMA" means the federal emergency management agency.
- (g) "FTE" means full-time equated.
- (h) "IDG" means interdepartmental grant.
- (i) "IDT" means intradepartmental transfer.
- (j) "LEIN" means law enforcement information network.
- (k) "MCOLES" means the Michigan commission on law enforcement

standards.

(l) "MDCH" means the Michigan department of community health.

(m) "MDMB" means the Michigan department of management and budget.

(n) "MDOC" means the Michigan department of corrections.

(o) "MDOS" means the Michigan department of state.

(p) "MDOT" means the Michigan department of transportation.

(q) "MDTR" means the Michigan department of treasury.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The state budget director shall grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause a loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of

representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

Sec. 206. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this bill. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 207. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. Such user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 208. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support department of state police projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 209. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is

appropriated an amount not to exceed \$3,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 210. (1) In addition to the amounts appropriated in part 1, in order to encourage administrative efficiencies, there is appropriated to the department of state police, an amount not to exceed one-half of the unexpended, unreserved general fund portions of fiscal year 2002-2003 appropriations made to the department for salaries and wages expenses, contractual services, supplies and materials expenses, information technology expenses and program operations costs.

(2) The appropriations contained in subsection 1 are subject to the approval of the state budget director and shall be spent for the same purposes for which the original appropriation was made in fiscal year 2002-2003.

Sec. 211. Of the state general fund/general purpose revenue appropriated in

this bill, \$19,036,700.00 represents a state spending increase over the amount provided to the department of state police for the fiscal year ending September 30, 1994, and may be used to meet state match requirements of programs contained in the violent crime control and law enforcement act of 1994, Public Law 103-322, 108 Stat. 1796, or successor grant programs, so that any additional federal money received supplements funding provided to the department of state police in this bill.

#### **HIGHWAY SAFETY PLANNING**

Sec. 301. On a quarterly basis, the department shall report to the state budget office and the senate and house appropriations subcommittees on state police and military affairs on the status of assessments collected and authorized under section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, for the purposes of supporting the secondary road patrol grant program. Each quarterly report shall contain updated information on collection levels, revised projected grant allotments to counties for the year, a comparison of projected collections and grant distribution levels with the funds appropriated in part 1 for the secondary road patrol program, and the extent collection levels have exceeded or failed to meet appropriated levels for the current fiscal year or expenditure levels from the previous fiscal year.

#### **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

Sec. 401. The money appropriated to the MCOLES for maintenance and delivery of training to locals is provided in accordance with a state reimbursement policy in which 100% of the determined state reimbursement rate shall be distributed upon certification by the MCOLES.



## **EMERGENCY MANAGEMENT**

Sec. 501. (1) The state director of emergency management may expend money appropriated under this bill to call upon any agency or department of the state or any resource of the state to protect life or property or to provide for the health or safety of the population in any area of the state in which the governor proclaims a state of emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33, or under the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. The state director of emergency management may expend the amounts the director considers necessary to accomplish these purposes. The director shall submit to the state budget director as soon as possible a complete report of all actions taken under the authority of this section. The report shall contain, as a separate item, a statement of all money expended that is not reimbursable from federal money. The state budget director shall review the expenditures and submit recommendations to the legislature in regard to any possible need for a supplemental appropriation.

(2) In addition to the money appropriated in this bill, the department may receive and expend money from local, private, federal, or state sources for the purpose of providing emergency management training to local or private interests and for the purpose of supporting emergency preparedness, response, recovery, and mitigation activity. If funds are expended beyond the appropriations enacted for these purposes in part 1, the department shall notify the state budget office, the house and senate appropriations subcommittees on state police and military and veterans affairs, and the house and senate fiscal agencies within 30 days concerning the additional expenditures.

### **UNIFORM SERVICES**

Sec. 601. State police enlisted personnel who are employed to enforce traffic laws as provided in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited from responding to crimes in progress or other emergency situations, and are responsible for protecting every citizen of this state from harm.

### **SPECIAL OPERATIONS**

Sec. 701. In addition to the appropriations in part 1 to the department of state police for the aviation program, the department is authorized to sell its aircraft and the proceeds from the sale are appropriated and may be applied to the renovation cost of replacement aircraft. If funds are expended beyond the appropriation enacted in part 1 for the aviation program, the department shall notify the state budget office, the house and senate subcommittees on state police and military and veterans affairs, and the house and senate fiscal agencies within 30 days concerning the additional expenditures.

### **INFORMATION TECHNOLOGY**

Sec. 801. The money appropriated in part 1 for computer services shall be funded by LEIN user fees sufficient to pay 1/3 of the service and contract maintenance costs of the LEIN mainframe computer system.